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Regional arrangements for the promotion and protection of human rights

Report of the Secretary-General**

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* A/55/150 and Corr.1 and 2.

** In accordance with General Assembly resolution 54/248, sect. C, para. 1, this report is being submitted on 8 August 2000 so as to include as much updated information as possible.

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I. Introduction

1. In its resolution 53/148 of 9 December 1998, the General Assembly requested the Secretary-General to submit to it at its fifty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights, including the results of action taken in pursuance of that resolution.

2. Mechanisms for the promotion and protection of human rights have been established within three regional organizations: the Organization of African Unity, on the basis of the 1981 African Charter on Human and People's Rights; the Organization of American States, on the basis of the 1948 American Declaration of the Rights and Duties of Man and the 1969 American Convention on Human Rights; and the Council of Europe, on the basis of the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms. The Organization for Security and Cooperation in Europe (OSCE) has also established its own mechanisms to promote and protect human rights.

3. The General Assembly, in its resolution 53/148, invited States in areas where regional arrangements in the field of human rights did not yet exist to consider concluding agreements with a view to the establishment, within their respective regions, of suitable regional machinery for the promotion and protection of human rights and recognized that the annual intergovernmental workshop for the Asia-Pacific region (see paras. 17-20 below) was an important forum for the discussion of initiatives for regional cooperation. A similar observation was also made by the sixth Workshop on Regional Arrangements for the Promotion and Protection of Human Rights in the Asia and Pacific Region, held at Tehran from 28 February to 2 March 1998 (see E/CN.4/1998/50).

4. Also in its resolution 53/148, the General Assembly welcomed growing exchanges between the Office of the United Nations High Commissioner for Human Rights and regional intergovernmental organizations, as well as the growing exchanges between the bodies created by the United Nations in accordance with the treaties dealing with human rights and relevant regional organizations and bodies; stressed the importance of the programme of technical cooperation in the field of human rights and renewed its appeal to all Governments to consider making use of the possibilities offered by the United Nations under that programme; and invited all Governments to continue to support the activities of the Office of the High Commissioner in the field of technical cooperation, with a view to further strengthening regional cooperation and regional arrangements for the promotion and protection of human rights.

5. The present report focuses on regional strategies of the Office of the High Commissioner and the most significant developments since 1998, when the Secretary-General submitted to the General Assembly the last report on the subject (A/53/324).

II. Regional strategies of the Office of the United Nations High Commissioner for Human Rights

6. It is widely recognized that progress in protecting and promoting the enjoyment of human rights depends primarily on efforts made at the national and local levels. To maximize the impact of such efforts, the Office of the High Commissioner has been developing regional and subregional strategies for strengthening institutional capacities, resolving the problems of greatest concern within a given geographical area and facilitating the exchange of best practices among the countries involved. Regional approaches should ensure more effective use of resources and thus enhance the responsiveness of the United Nations system to the needs of Member States. That approach does not imply the establishment of complex administrative structures in the field but rather more intensive cooperation and coordination with all partners: Governments, United Nations agencies and programmes, international and regional organizations and civil society, including non-governmental organizations.

7. The Office of the High Commissioner is particularly interested in the promotion and protection of human rights at the regional level in close cooperation with organizations with mandates, knowledge and expertise concerning the region in question. Such cooperation involves consultations concerning programmes of action, exchange of information, coordination of efforts and joint projects. The Office of the High Commissioner also provides assistance, if required. Close cooperation has been developing at the regional level with United Nations partners, in particular with the United Nations

Development Programme (UNDP), including its six subregional resource facilities at Bangkok, Beirut, Bratislava, Harare, Islamabad and Port of Spain, and with the United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization, which are developing their own regional methodologies. The Office of the High Commissioner, together with regional commissions of the Economic and Social Council, is continuing to explore possible areas in which to involve the regional commissions in the promotion of human rights.

8. The Office of the High Commissioner has also been developing cooperation with other organizations at the regional level. For example, together with the Inter-Parliamentary Union, the Office of the High Commissioner will hold in Mongolia in August 2000 a workshop on enhancing the role of parliaments to promote and protect human rights in north-east Asia. UNDP is also supporting the event, which is part of the implementation programme for the Framework for Regional Technical Cooperation for the Asia-Pacific region (see para. 17 below). In Latin America and the Caribbean, the Office of the High Commissioner has joint projects with the Andean Commission of Jurists and the Inter-American Institute for Human Rights. The East African Community (EAC), the Economic Community of Central African States (ECCAS), the Economic Community of West African States (ECOWAS) and the Intergovernmental Authority on Development (IGAD) are, together with the Office of the High Commissioner, developing subregional strategies. Non-governmental organizations are playing an increasing role in the regional programmes of the Office of the High Commissioner, providing valuable contributions to the promotion of human rights, including human rights education and sharing of best practices.

9. In the next 15 months, the Office of the United Nations High Commissioner for Human Rights intends to accord high priority to activities linked to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which is to be held in South Africa in September 2001. The Office of the High Commissioner and the regional commissions will organize regional preparatory meetings for the World Conference. In addition, seminars for experts will be organized in regions and subregions by the Office of the High Commissioner and the host Government. While contributing to the preparations for the World Conference, these and other events will become an important vehicle for regional cooperation in the area of human rights.

10. The High Commissioner has appointed four distinguished human rights personalities to serve as regional advisers. They are playing a significant role in the promotion of human rights and human rights advocacy through designing strategies and developing partnerships for human rights, facilitating coordination of technical cooperation in the field of human rights at the regional level and assisting in regional cooperation involving, for example, national institutions, parliamentary bodies, bar associations and non-governmental organizations. Over the next 15 months, their help will be drawn upon for stimulating government and public interest in the World Conference.

11. The establishment of the presence in southern Africa of the Office of the High Commissioner, operating in cooperation with UNDP, has led to many useful initiatives being taken in the subregion. The experience gained in southern Africa has provided guidance for the development of the regional approach of the Office of the High Commissioner. The World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, recommended that human rights officers be assigned if and when necessary to regional offices of the United Nations Organization with the purpose of disseminating information and offering training and other technical assistance in the field of human rights upon the request of concerned Member States (A/CONF.157/24 (Part I), para. 7).

III. Regional frameworks

A. Africa

12. In Africa, the programme of the Office of the High Commissioner is aimed at strengthening respect for human rights and the rule of law, as they are indispensable to putting an end to ongoing conflicts and achieving lasting peace, eradicating poverty and progressing towards sustainable development. This programme is to be implemented through subregional strategies tailored to the specific needs of countries connected through cooperation at various levels and facing similar, often cross-border problems.

13. The subregional approach is a vehicle to optimize the engagement of the Office of the High Commissioner in providing assistance to Governments and societies in Africa in their efforts to develop national plans of action and capacities, including national institutions in the field of human rights and to strengthen the rule of law. This approach is helpful in dealing with such issues as protection of the human rights of minorities, internally displaced persons and refugees. Subregional exchanges of experience can assist in efforts to resolve social problems, including the reconciliation of post-conflict societies. To that end, a human rights dimension should be introduced into the programmes for the prevention, management and resolution of conflicts. Human rights should be integrated in programmes and activities of subregional organizations. The building of national human rights capacities should be supported through the development of subregional plans of action and through the provision of assistance by the international community. Human rights awareness should be raised through information and educational programmes.

14. To implement these objectives, the following activities will be developed at the regional and subregional levels:

(a) Strengthening the cooperation of the Office of the High Commissioner with the Organization of African Unity in order to review, on a regular basis, the needs of different subregions in the area of human rights;

(b) Continuing to assist the African Commission on Human and Peoples' Rights, paying particular attention to the establishment of an African Court on Human and Peoples' Rights;

(c) Enhancing cooperation with subregional organizations, whereby;

(i) The Office of the High Commissioner will ensure that it is represented by human rights advisers to EAC, ECCAS, ECOWAS and IGAD in their respective offices in Yaoundé, Abuja, Addis Ababa and Nairobi;

(ii) With regard to Arab countries in northern Africa, a joint regional project is being developed jointly by the Office of the High Commissioner and UNDP;

(iii) Attention will be paid to cooperation with the Community of Portuguese-Speaking Countries (CPLP);

(iv) The presence in southern Africa of the Office of the High Commissioner will increase;

(d) Providing support and assistance for the development of subregional and national plans of action for the promotion and protection of human rights;

(e) Providing support and assistance in the field of human rights education through the establishment of human rights information and documentation centres and the use of new information technologies;

(f) Lending support for the establishment of subregional and national institutions for the promotion and protection of human rights.

15. The Great Lakes region in Central Africa is an area characterized by: ongoing armed and ethnic conflicts, which have a strong cross-border impact; weakening of the rule of law and the subsequent development of impunity for crimes; ineffective administrations; and major development problems. This has had adverse effects on the enjoyment of civil and political, economic, social and cultural human rights. Civilians are the main victims of the violence and human rights abuses. Vulnerable groups, particularly women and children, are most affected and need to be paid special attention. The flow of refugees and the large number of internally displaced persons create instability and pose economic and social problems to the host countries. The contribution of the Office of the High Commissioner to the promotion and protection of human rights in the subregion has been significant. At present, the Office of the High Commissioner has field presences in Burundi, the Democratic Republic of the Congo, and Angola. The subregional approach should allow for effective action towards the achievement of the following:

(a) Development of national plans of action in the field of human rights to deal with all aspects of human rights issues at the national level;

(b) Implementation of mechanisms and procedures to promote and protect human rights in the subregion, in particular, the human rights of women, children and the elderly in conflict situations;

(c) Establishment of national institutions for the promotion and protection of human rights;

(d) Provision of assistance in strengthening the rule of law and in reconciliation processes;

(e) Provision of assistance in human rights education.

16. At its fourth meeting, the United Nations Standing Advisory Committee on Security Questions in Central Africa decided in favour of establishing, under the auspices of the High Commissioner, a subregional centre for human rights and democracy in central Africa, to be concerned, above all, with helping to train staff engaged in administering human rights matters, extending support to establishing or strengthening national human rights institutions, raising awareness about human rights norms, developing the rule of law and observing elections. In its resolution 54/55 A of 1 December 1999, the General Assembly, recalling the decision of the fourth meeting of the Standing Advisory Committee, requested the Secretary-General and the High Commissioner to lend their support to the establishment of the subregional centre. It was decided to appropriate US$ 1 million for the biennium 2000-2001 for the creation and functioning of such a centre. The concept of the subregional centre is in the implementation phase. A needs assessment mission was sent to Yaoundé to hold consultations with subregional partners on the establishment of the centre. A human rights adviser is being engaged to assist in the setting up of the centre and develop cooperation between the Office of the High Commissioner, ECCAS and the relevant bodies of the Standing Advisory Committee. The Centre will be established in Yaoundé by the end of 2000. That will be crucial step in the efforts of the Office of the High Commissioner to implement the subregional strategy for central Africa.

B. Asia and the Pacific

17. Pursuant to the relevant resolutions of the General Assembly and the Commission on Human Rights, the Office of the High Commissioner has been further developing regional cooperation for human rights in Asia and the Pacific. During the last two years, annual workshops on regional cooperation for the promotion and protection of human rights in Asia and the Pacific were organized at New Delhi in 1999 and Beijing in 2000. Through those and previous workshops (in particular in the workshops held at Amman in 1997 and Tehran in 1998), a consensus has been reached on the principles of the Framework for Regional Technical Cooperation for the Asia-Pacific Region. The Framework has been designed to develop, inter alia: (a) national plans of action for the promotion and protection of human rights and the strengthening of national capacities; (b) human rights education; (c) national institutions for the promotion and protection of human rights; and (d) strategies for the realization of the right to development and economic, social and cultural rights. The implementation programme of the Framework is based on a step-by-step "building-block" approach, involving inter alia consultations among Governments concerning the possible establishment of regional human rights arrangements.

18. At the workshops held at New Delhi in 1999, it was decided to convene inter-sessional workshops addressing issues under each of the four main areas covered by the Framework. The decision of the High Commissioner to allocate funds for the projects foreseen within the Framework was welcomed. During the one-year period between the holding of the workshops at New Delhi and Beijing, the following inter-sessional workshops and meetings were held: (a) Inter-sessional Regional Workshop on the Role of National Human Rights Commissions in the Promotion and Protection of Economic, Social and Cultural Rights, held at Manila in May 1999; (b) Inter-sessional Regional Workshop on National Human Rights Action Plans, held at Bangkok in July 1999; (c) Inter-sessional Subregional Workshop on National Institutions and Non-governmental Organizations, held at Kandy, Sri Lanka, in July 2000; (d) Fourth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions, held at Manila in September 1999; (e) Seminar on the Role of National Institutions in the Protection and Promotion of the Human Rights of Children, held at Manila in September 1999; (f) Inter-sessional Subregional Workshop on Human Rights Education in North-East Asia, held at Seoul in December 1999; (g) Inter-sessional Subregional Workshop on National Plans of Action for Human Rights Education, held in Tokyo in January 2000; and (h) Inter-sessional Workshop on the realization of the Right to Development and Economic, Social and Cultural Rights, held at Sana'a, Yemen, in February 2000.

19. The Eighth Workshop on Regional Arrangements for the Promotion and Protection of Human Rights in the Asia and Pacific Region, held at Beijing in March 2000, reviewed the implementation of the Framework for Regional Technical Cooperation for the Asia-Pacific Region. In its conclusions, the Workshop affirmed the importance of the technical cooperation programme in Asia and the Pacific, implemented with the support of the international community, including the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, as one of the key tools for the promotion of human rights. The conclusions emphasized the importance of undertaking activities under the Framework at the national and subregional levels with the assistance of the Governments concerned, national institutions and civil society.

20. In addition, it was noted in the conclusions that, within each of the areas of the Framework, it was appropriate to pay close attention to the promotion and protection of the human rights of women, children and vulnerable groups. Parliaments, national institutions, and civil society groups were invited to participate, as appropriate, in the development and implementation of the Framework. The Workshop endorsed a paper prepared by the Office of the High Commissioner on steps and activities to be considered in Asia and the Pacific to facilitate regional cooperation for the protection and promotion of human rights. The proposed activities, to be implemented over a two-year period, included the following: (a) finalization of the handbook on national human rights action plans and its distribution to key beneficiaries; (b) conduct of a survey of human rights education; (c) study on non-formal human rights education; (d) meeting of the Asia Pacific Forum of National Human Rights Institutions on the role of national institutions in combating racism; (e) training on approaches to protection by national institutions; (f) workshop on the impact of globalization on human rights; and (g) regional preparatory meeting for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance. In addition, several workshops and other activities were recommended at the subregional level.

C. Europe

21. In Europe and central Asia, the Office of the High Commissioner has continued its cooperation with regional organizations, including the Council of Europe, OSCE and the European Union. One of the priorities has been the development of a regional strategy against trafficking in human beings. The Office of the High Commissioner works closely with the Council of Europe and OSCE in connection with the Task Force on Trafficking in Human Beings and the gender Task Force of the Stability Pact, inter alia, assisting in developing a common regional approach to preventing such trafficking. The Council of Europe, OSCE and the European Union jointly sponsored a workshop for Governments and non-governmental organizations on trafficking in human beings; the workshop was held in Greece in June 2000. Representatives of the Office of the High Commissioner in Bosnia and Herzegovina, Croatia and Yugoslavia are developing a joint strategy against such trafficking in order to strengthen inter-agency initiatives.

22. The Office of the High Commissioner regularly consults with different European human rights institutions. Together with OSCE, the Office of the High Commissioner operates a human rights office at Abkhazia, Georgia, that is part of the United Nations Observer Mission in Georgia (UNOMIG). The Office of the High Commissioner has also worked closely with the Office for Democratic Institutions and Human Rights on a range of issues, including the establishment of national human rights institutions in central Asia and women's human rights in Yugoslavia, including Montenegro, and elsewhere in south-east Europe. The Office of the High Commissioner also participated in the annual tripartite consultations between the United Nations, OSCE and the Council of Europe, held at Geneva in February 2000 which included a target-oriented discussion focusing on training in human rights.

23. The High Commissioner visited the European Union secretariat at Brussels on 1 February 2000 to discuss cooperation, and several meetings of representatives of the Office of the High Commissioner and the European Union have subsequently taken place. The European Union is also working with the Office of the High Commissioner, the Council of Europe and OSCE on a quadripartite approach to

providing training in human rights for international field missions. A joint mission to assess training needs was sent to Kosovo, in Yugoslavia, in June 2000.

24. In connection with the preparations for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the Office of the High Commissioner, in cooperation with the Polish Government, convened a meeting of experts on the theme "Protection of minorities and other vulnerable groups and strengthening of human rights capacity at the national level" for central and eastern European countries. The meeting, which was held at Warsaw in July 2000, focused on various aspects of the situation of minorities in the context of racial or ethnic discrimination and xenophobia. Experts participating in the meeting exchanged information on "best practices" and discussed action-oriented strategies. The High Commissioner has been invited to deliver a keynote address at the European Conference against Racism, which is being organized by the Council of Europe at Strasbourg from 11 to 13 October 2000 as part of the preparations for the World Conference.

D. Latin America and the Caribbean

25. Following consultations with Member States and national, subregional and regional institutions and experts in the field of human rights from Latin America and the Caribbean, the Office of the High Commissioner organized at Quito from 29 November to 1 December 1999 a regional workshop that adopted the Quito Framework for Technical Cooperation in the Field of Human Rights. Participants in the workshop represented Governments, national human rights institutions, networks of non-governmental organizations, United Nations agencies and regional institutions. The Quito Framework has served as the basis for the regional strategy of the Office of the High Commissioner.

26. The long-term aim of the Quito Framework is to strengthen national capacities for the promotion of human rights in Latin America and the Caribbean by achieving the following objectives: (a) development of national plans of action for the promotion and protection of human rights; (b) human rights education; (c) establishment or strengthening national human rights institutions; (d) development of strategies for the realization of the right to development and economic, social and cultural rights; and (e) promotion of the human rights of women, children and vulnerable groups.

27. Under the Quito Framework and in cooperation with its partners, the Office of the High Commissioner undertakes various activities, including: organization of regional or subregional meetings for representatives of governmental and non-governmental institutions to share "best practices" in the development and implementation of national plans of action; preparation of a compendium of existing national plans of action and specific programmes or activities for human rights education in Latin America and the Caribbean; organization of workshops on the role and functions of national human rights institutions; organization of a regional intergovernmental workshop on social, cultural and economic rights with the participation of national economic planning authorities, international development and financial institutions and development experts; and provision of technical cooperation in various aspects of human rights.

28. The Office of the High Commissioner has provided training in the area of reporting obligations for Spanish-speaking and English-speaking countries in Latin America and the Caribbean (for example, in Guyana in 1999 for English-speaking countries and in the Dominican Republic in 2000 for Spanish-speaking countries). At the subregional level, the Office of the High Commissioner has implemented several initiatives in Central America and in the Andean subregion focusing on the development of a judicial network, the training of officials in the area of administration of justice and the development of training methodologies. Those activities have been carried out in cooperation with the Latin American Institute for the Prevention of Crime and the Treatment of Offenders, and with the Andean Commission of Jurists, with which the Office of the High Commissioner signed a memorandum of understanding in 1998.